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DATE: 1/19/2006

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SEND TO: United States Patent Office  
Examiner: Hector Agdeppa  
Group Art Unit: 2642  
  
Fax #: 571-273-8300  
  
FROM: Amy J. Pattillo  
Tel No: 512-402-9820

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Docket No. AUS92001945US1 Serial No. 10/005,680 Atty: AJP

Applicant: BROWN ET AL \_\_\_\_\_

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<input type="checkbox"/> Amendment	<input checked="" type="checkbox"/> Notice of Appeal
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Fees: Amendment \_\_\_\_\_ Notice of Appeal 500.00 Appeal Brief \_\_\_\_\_ Other \_\_\_\_\_

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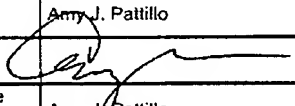
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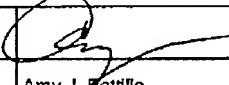
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/005,680	
	Filing Date	12/03/2001	
	First Named Inventor	Brown et al.	
	Art Unit	2642	
	Examiner Name	Ubiles, Marie C	
Total Number of Pages in This Submission	4	Attorney Docket Number	AUS920010945US1

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks The Commissioner is authorized to charge payment of any necessary fees or credit any overpayments to deposit account 09-0447		

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Firm Name	Amy J. Pattillo	
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Printed name	Amy J. Pattillo	
Date	1/19/06	Reg. No. 46,983

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name	Amy J. Pattillo	Date 1/19/2006 1/19/06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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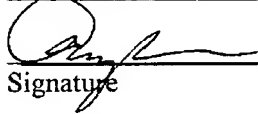
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Brown et al. Serial No.: 10/005,680 Confirmation Number: 9585 Filed: 12/03/2001 Title: HOLD QUEUE POSITION PUBLICATION	: Before the Examiner: : Hector Agdeppa : Group Art Unit: 2642 : IBM Corporation (c/o Amy Pattillo) : P.O. Box 161327 : Austin, Texas 78716
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I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent Office at facsimile number 571-273-8300 on January 19, 2006.

Amy Pattillo



Signature

1/19/06

Date

TRANSMITTAL OF NOTICE OF APPEAL UNDER 37 CFR 41.31

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Applicant hereby appeals from the Examiner to the Board of Patent Appeals and Interferences from the last decision of the Examiner.

Please charge the fee of \$500.00 for submission of this Notice of Appeal to IBM Corporation Deposit Account No. 09-0447.

The commissioner is hereby authorized to charge any additional fee which may be required or credit any overpayment to IBM Corporation Deposit Account No. 09-0447. A duplicate copy of this document is enclosed.

Respectfully submitted,



1/19/06

Amy J. Pattillo  
Attorney for Applicants  
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512-402-9820 (phone)  
512-306-0417 (fax)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Brown et al. Serial No.: 10/005,680 Confirmation Number: 9585 Filed: 12/03/2001 Title: HOLD QUEUE POSITION PUBLICATION	: Before the Examiner: : Hector Agdeppa : Group Art Unit: 2642 : IBM Corporation (c/o Amy Pattillo) : P.O. Box 161327 : Austin, Texas 78716
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**NOTICE OF APPEAL from the Examiner to the Board of Patent Appeals and Interferences**

Mail Stop AF  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
**Via Facsimile**

Dear Sir:

Under 37 CFR 41.31, Applicants hereby appeal to the Examiner to the Board of Patent Appeals and Interferences from the last decision of the Examiner. Specifically, the Examiner's Office Action, dated October 19, 2005, finally rejects claims 1, 2, 4-9, 11-18, and 36-38. Applicants appeal the rejection of claims 1, 2, 4-9, 11-18, and 36-38.

Respectfully submitted,

 on 1/19/06

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